

**SB 6821** - S AMD 152

By Senator Hatfield

1 On page 3, after line 7 insert the following:

2 " **Sec. 2.** RCW 77.80.010 and 2000 c 107 s 88 are each amended to  
3 read as follows:

4 As used in this chapter(~~(1) "Case areas" means those areas of~~  
5 ~~the Western district of Washington and in the adjacent offshore waters~~  
6 ~~which are within the jurisdiction of the state of Washington, as~~  
7 ~~defined in *United States of America et al. v. State of Washington et*~~  
8 ~~*al.*, Civil No. 9213, United States District Court for Western District~~  
9 ~~of Washington, February 12, 1974, and in *Sohappy v. Smith*, 302 F. Supp.~~  
10 ~~899 (D. Oregon, 1969), as amended, affirmed, and remanded 529 F. 2d 570~~  
11 ~~(9th Cir., 1976), or an area in which fishing rights are affected by~~  
12 ~~court decision in a manner consistent with the above-mentioned decisions+~~  
13 ~~(2))~~, "program" means the program established under RCW 77.80.010  
14 through 77.80.060.

15 **Sec. 3.** RCW 77.80.020 and 1984 c 67 s 1 are each amended to read  
16 as follows:

17 The department may purchase commercial fishing vessels and  
18 appurtenant gear, and the current state commercial fishing licenses,  
19 delivery permits, and charter boat licenses if the license or permit  
20 holder was substantially restricted in fishing as a result of  
21 compliance with *United States of America et al. v. State of Washington*  
22 *et al.*, Civil No. 9213, United States District Court for Western  
23 District of Washington, February 12, 1974, and *Sohappy v. Smith*, 302 F.  
24 Supp. 899 (D. Oregon, 1969), as amended, affirmed, and remanded 529 F.  
25 2d 570 (9th Cir., 1976). The department may also make such purchases if  
26 the license or permit holder was substantially restricted in fishing as  
27 a result of compliance with *United States of America et al. v. State of*  
28 *Washington et al.*, 873 F.Supp. 1422 (W.D. Wash. 1994) as affirmed in  
29 part, reversed in part, and remanded 157 F.3d 630 (9th Cir., 1998).

30 The department shall not purchase a vessel without also purchasing  
31 all current Washington commercial fishing licenses and delivery permits  
32 and charter boat licenses issued to the vessel or its owner. The  
33 department may purchase current licenses and delivery permits without  
34 purchasing the vessel."

1       Renumber the sections consecutively and correct any internal  
2 references accordingly.

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7       On page 1, line 2 of the title, after "to the" delete everything  
8 through "42.56.430" and insert "to fish and wildlife harvest  
9 management; and amending RCW 42.56.430, 77.80.010, and 77.80.020"

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**EFFECT:** Adds Senate Bill 6419, which authorizes commercial license buyouts for shellfishers (this program is dependent upon receipt of federal funds for the purchases).